

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Judgment Creditor,

v.

24-CR-0279-001 (VEC)

JUAN MERCADO,

PUBLIC FILING

Judgment Debtor,

and

CITY OF NEW YORK DEFERRED
COMPENSATION PLAN,

Respondent.

ANSWER OF THE RESPONDENT

I, Elizabeth Krupa, the Deputy Assistant Counsel of the Respondent
 (name) (title)
City of New York Deferred Compensation Plan, state under penalty of perjury as follows:

RESPONDENT IS (choose one):

- ☐ An individual doing business in the name of _____.
- ☐ A partnership, ☐ LP, ☐ LLP or ☐ LLC
- ☐ A corporation, organized under the laws of the State of _____.
- ☒ governmental retirement plan

I acknowledge receipt of the United States' request that Respondent waive service of a NYCPLR 5222 Restraining Notice and a NYCPLR 5224 Information Subpoena under Rules 4-4.1 of the Federal Rules of Civil Procedure in this proceeding. Without waiving defenses or objections to the garnishment or to the jurisdiction or venue of the court except for objections based on a defect in the service of the process, I agreed to accept service for the Respondent by:

- ☐ facsimile at (____) _____ and/or
- ☐ e-mail at _____ and/or
- ☒ first class mail at 22 Cortlandt St. 18th Floor New York, NY 10007

On April 12, 2025 2025, Respondent received a NYCPLR 5222 Restraining Notice and a NYCPLR 5224 Information Subpoena. At the time of service, Respondent had in its possession or control, the following property of the judgment debtor:

1. Financial AccountsAccount 1

Type: 457

No.: _____

Title owner(s): Juan Mercado

Amount: \$ 47,903.77

Account 2

Type: _____

No.: _____

Title owner(s): _____

Amount: \$ _____

Account 3

Type: _____
 No.: _____
 Title owner(s): _____
 Amount: \$ _____

Account 4

Type: _____
 No.: _____
 Title owner(s): _____
 Amount: \$ _____

For any pension or retirement plan, produce a copy of the governing plan document detailing terms and conditions for eligibility to withdraw funds.

2. Safety Deposit Box

Box No.: _____
 Last accessed: _____
 Owners other than the judgment debtor: _____

3. Detail other personal property in the respondent's possession, custody, or control:

4. Are there prior garnishments or other court-ordered withholdings which are presently in effect including, but not limited to child support and alimony? ☐ Yes or ☐ No; if the answer is yes, describe below (case number, state, county):

5. Does the respondent have custody, control or possession of any property, other than accounts, safety deposit boxes or other personal property, now owed or to be paid in the future, in which the judgment debtor has an interest? ☐ Yes or ☐ No. If the answer is yes, describe below:

IF RESPONDENT DENIES HOLDING PROPERTY SUBJECT TO RESTRAINT:

6. Check and complete the applicable line below:

☐ Respondent has the following objections, defenses, or set-offs:

☐ On the date the respondent was served with the notice, the respondent was not indebted or under liability to the defendant, and/or did not have in its possession or control any assets, income or other property in which the judgment debtor has an interest.

RESPONDENT mailed a copy of this Answer by first-class mail to:

- (1) the judgment debtor, Juan Mercado, at 463 18th St. West Babylon, NY
 (2) the Clerk of Court, United States Courthouse, 500 Pearl Street, New York, NY 10007, 11704
 Attn: Arraignment Unit, Rm 520; AND
 (3) USAO-SDNY-FLP, 86 Chambers Street, 3rd Floor, New York, NY 10007.

Pursuant to 28 U.S.C., § 1746, I verify under penalty of perjury that the foregoing is true and correct.

Executed this 7th day of May, 2025.

E. Krupa Elizaladth Krupa
(Signature) (Print Name)

Title Deputy Assistant Counsel

Address 22 Cortlandt St., 28th floor, New York, NY 10007

City, State, Zip NY

Telephone and Fax Numbers 212 - 306 - 7646

Email ekrupa@nyceplans.org

STATE OF New York
COUNTY OF New York

Subscribed and sworn to before me this 7th day of May, 2025.

[Signature]
Notary Public Signature

My Commission expires: 6-4-2026
(Seal)

JW
JIMMY WIGFALL II
NOTARY PUBLIC-STATE OF NEW YORK
No. 01WI6376150
Qualified in Bronx County
My Commission Expires ~~06-04-2025~~ 06-04-2026



Deferred Compensation Plan / NYCE IRA

Bowling Green Station, P.O. Box 93
New York, NY 10274-0093

Clerk of Court
United States Courthouse
500 Pearl St.
New York, NY 100
Attn: Arraignment Unit, Rm